

GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Social Welfare – Land Acquisition – Khammam District – Kothagudem (M) – Nayakulagudem (V), H/o Sujathanagar - Acquisition of land to an extent of Ac. 4.33 gts in Sy. No. 1518 - for providing house sites to the weaker section's people – Sanction of Rs 5,10,987/- - towards balance decretal charges, as ordered in O.P.No. 138/1997 – Orders – Issued.

SOCIAL WELFARE (LA.2) DEPARTMENT

G.O. Rt. No. 202

Dated: 02.03.2010.

Read the following:

1. From the District Collector, Khammam, Lr. Rc. No. H2/LA/335/ 2008, Dated:6/10/2008.
2. From the Commissioner of Social Welfare, AP., Hyderabad Lr.No. LA2/11020/2008, dt.31/10/2008.
3. From the CCLA, AP, Hyderabad, Lr. No. G3/1642/2008, Dated.30/07/2009.

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ORDER:-

In the reference 3rd read above, the Chief Commissioner of Land Administration, AP, Hyderabad has stated that the LAO/Tahasildar, Kothagudem had passed an award No. A4/3134/77, Dated: 20/03/1979 for acquisition of Land to an extent of Ac. 4.33 gts bearing Sy.No. 1518 situated in Nayakulagudem (V), H/o of Sujathanagar for providing house sites to the weaker sections of the society in the said (v) fixing the market value as Rs. 1800/- p.a. Aggrieved by the above award, the awardees have filed reference U/s 18 of L.A Act for enhancement of market value of the land. The Court of Sr. Civil Judge, Kothagudem has passed a decree in O.P.No. 138/97, dated: 17/09/2007. The Court has awarded the statutory benefits that the Market Value enhanced to Rs. 20,000/- per acre. The land / owner entitled Solatium @ 30% on the enhanced MV. The land owner is entitled to the interest @ 9% per annum for one year from the date of taking over possession ie., 03/01/1978 and thereafter 15% per annum till the date of payment. On the directions to prefer appeals before the Hon'ble High Court of AP., Hyderabad as per the merits of the case as in O.P.No. 14/84 the Tahsildar Kothagudem has reported regarding earlier O.P.No. 14/84 that the SLP is pending in Hon'ble Supreme Court and no orders have been received and that, the awardee has filed E.P.in O.P.No. 138/97 for attachment of properties of O/o Tahsildar, Kothagudem and the Hon'ble Senior Civil Judge has ordered for the attachment of above property before 24/09/2008, and also submitted that the Hon'ble District Judge has included this case for the LOK ADALATH. The Collector, Khammam District has requested to release an amount of Rs. 5,16,336/- towards decretal charges. The Government Pleader for Appeals, High Court of AP., has stated that the Counsel for the claimant and the learned the Assistant Government Pleader have submitted that the compensation may be fixed basing on the judgment and decree in O.P.No. 14/84, wherein the Court had fixed the compensation @ Rs. 20,000/- per acre. Once the Court has taken into consideration the statements made by both sides and fixed the compensation @ Rs. 20,000/- per acre following the judgment in earlier OP, the question of filing Appal does not arise. The Commissioner, Legal Affairs has opined that at present further appeal is time barred.

2. The CCLA., AP., Hyderabad, after scrutiny of the proposal along with the calculation sheet furnished by the Collector, Khammam District has requested the Government for sanction of an amount of Rs. 5,10,987/- towards payment of decretal charges in respect of the acquisition of said land.

3. After careful examination, Government hereby accord sanction to the Commissioner of Social Welfare, AP, Hyderabad for release an amount of Rs. 5,10,987/- (Rupees Five lakhs ten thousand nine hundred and eighty seven only) to the District Collector, Khammam towards payment of decretal charges, as per orders in O.P.No. 138/97 in respect of the land acquired to an extent of Ac. 4.33 gts bearing Sy. No. 1518 at Nayakulagudem village of Sujathanagar, Kothagudem (M) of Khammam District, for providing of house sites to the weaker section's people.

4. The amount of expenditure sanctioned in para (3) above shall be met within the B.E. 2009-10 and debited to the following Head of Account:

“2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes - 01- Welfare of Scheduled Castes – M.H.283 - Housing - G.H.11-Normal State Plan - SH(08) Acquisition of House sites to weaker sections in Indiramma Programme - 310/312 – other Grants-in-aid” .

5. The Commissioner of Social Welfare, A.P., Hyderabad, is directed to issue necessary proceedings to the District Collector, Khammam to comply with the Court orders.

6. The District Collector, Khammam shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

7. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions issued vide U.O.Note No.12869/196/ A1/Esp.SW/2009, dated..22.05.2009 and U.O. No. 15926/256/A1/1/ Expr.SW/09, dated.17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Social Welfare, A.P., Hyderabad.
The Chief Commissioner of Land Administration, AP, Hyderabad.
The District Collector, Mahabubnagar District..
Copy to:
The Director of Treasuries & Accounts, A.P. Hyderabad.
The Accountant General, A.P., Hyderabad
The District Treasury Officer, Mahabubnagar District.
Finance (Exp.SW/BG) Department.
SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER